



Docket No.: 216348US2PCT

OBLON
SPIVAK
McCLELLAND
MAIER
&
NEUSTADT
P.C.

ATTORNEYS AT LAW

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

RE: Application Serial No.: 10/009,770

Applicants: Steve DUNCAN, et al.

Filing Date: December 17, 2001

For: COMPENSATION OF SAMPLING FREQUENCY
OFFSET AND LOCAL OSCILLATOR FREQUENCY
OFFSET IN A OFDM RECEIVER

Group Art Unit: 2611

Examiner: HA, DAC V

SIR:

Attached hereto for filing are the following papers:

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Our check in the amount of **\$0.00** is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.


Marvin J. Spivak

Registration No. 24,913

Raymond F. Cardillo, Jr.
Registration No. 40,440

Customer Number

22850

(703) 413-3000 (phone)
(703) 413-2220 (fax)



DOCKET NO.: 216348US2PCT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF : DATE ALLOWED: 04/19/06
STEVE DUNCAN, ET AL. : EXAMINER: HA, D.V.
SERIAL NO: 10/009,770 :
FILED: DECEMBER 17, 2001 : GROUP ART UNIT: 2611
FOR: METHOD OF COMPENSATING :
FOR SAMPLING FREQUENCY OFFSET :
IN AN OFDM RECEIVER, METHOD OF :
SYNCHRONISING AN OFDM :
RECEIVER, METHOD OF :
COMPENSATING FOR A LOCAL :
OSCILLATOR FREQUENCY OFFSET IN :
AN OFDM RECEIVER AND OFDM :
RECEIVER

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

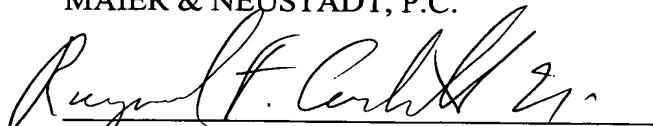
The Examiner's "statement of reasons for the indication of allowable subject matter," included under the heading "Allowable Subject Matter," on page 2 attached to the "Notice of Allowability" (PTOL-37) that is in turn attached to the "Notice of Allowance and Fee(s) Due" mailed April 19, 2006, incorporates the reasons for claim allowability as "indicated previously." This previous indication was included in another Examiner's "statement of reasons for the indication of allowable subject matter," that was also included under the heading "Allowable Subject Matter," on page 2 attached to the "Notice of Allowability" (PTOL-37) that in turn was attached to the "Notice of Allowance and Fee(s) Due" that was mailed on October 31, 2005.

These reasons that were “indicated previously” are in error, however, as to the subject matter of Claim 22. In this regard, these reasons that were “indicated previously” primarily rely on the step recited at the end of method Claim 1 that recites “compensating for the sampling frequency offset in dependence on a difference between phase variations at the respective points, each phase variation representing a difference between the phase value derived for that point and further phase data.” However, independent method Claim 22 does not recite this Claim 1 step because it recites a different step of “compensating for the local oscillator [emphasis added to highlight subject matter not in Claim 1] frequency offset in dependence on the phase variation,” which “phase variation is defined slightly differently by Claim 22 to be a “phase variation representing a difference between the phase value for said at least one point and a further phase value.”

Accordingly, the above-noted relied upon Examiner’s “statement of reasons for the indication of allowable subject matter,” is clearly in error as to the subject matter of independent Claim 22 and should be modified in this regard to indicate the actual subject matter included in this claim.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Eckhard H. Kuesters
Attorney of Record
Registration No. 28,870

Raymond F. Cardillo, Jr.
Registration No. 40,440

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)